

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Efren M. Lacap et al.

Confirmation No.: 4089

Serial No.: 10/648,586

Art Unit: 1793

Filed: 26 August 2003

Examiner: Kerns, Kevin P.

Title: WAFER-LEVEL CHIP SCALE
PACKAGE

Attorney Docket No.: 408204

December 6, 2007

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed 6 November 2007, Appellants hereby file the attached Amended Appeal Brief. The Amended Appeal Brief sets forth the status of claims 18-24 and 27, which as noted by the Examiner, was not included in the Appeal Brief filed on 16 August 2007.

Regarding the Examiner's objections to the Appellants' statements regarding which claims stand on their own and which claims stand or fall on their base claim, Appellants respectfully call the Examiner's attention to the fact that such statements are no longer required under 37 C.F.R. 41.37(c)(1)(iii). Appellants included such statements solely as a courtesy to the Examiner and the Board, and the Appeal Brief cannot be rejected as non-compliant on such basis.

Nevertheless, Appellants respectfully submit the statements are still both clear and correct, and Appellants are at a loss to understand why such statements are unclear to the Examiner. Claims 1, 4, 5, 7, 8, 25, 26, and 28 are clearly argued separately in the Brief, and any statement to the contrary is clearly erroneous. As a further courtesy to the Examiner, Appellants have added the optional subheadings indicating where such claims were argued separately.

Finally, Appellants respectfully assert that the statement regarding which claims stand on their own is not inconsistent with the statement regarding which claims stand or fall on their base claims, as erroneously asserted by the Examiner. A dependent claim can easily stand or fall independently of its base claim, because the dependent claim – by definition – contains at least one additional limitation or feature over its base claim. For example, claim 4 contains additional elements over claim 2.

CONCLUSION

Appellants believe no fees are due in connection with this Response to Notification of Non-Compliant Appeal Brief and attached Amended Appeal Brief. However, if any fee is deemed necessary, the Commissioner is authorized to charge any such fee to deposit account 12-0600, referencing the Attorney Docket Number 408204.

Respectfully submitted,

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